

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PETRA BUSCHMEIER,)	2:03-mc-506
)	
Plaintiff,)	(SEE 2:02-cv-610)
v.)	
)	Judge Terrence F. McVerry
G&G INVESTMENTS, INC.,)	
)	
Defendant)	

ORDER OF COURT

AND NOW, this 13th day of April, 2006, upon consideration of Defendant's DISCLOSURE OF ADDITIONAL FUNDS FROM CONSUMERS PACKAGING BANKRUPTCY (Document No. 89), MOTION FOR ENTRY OF ORDER OF COURT PERMITTING PAYMENT OF COUNSEL FEES OR, IN THE ALTERNATIVE, THE ESCROW OF FUNDS PENDING THE RESOLUTION OF APPEAL (Document No. 91), PLAINTIFF'S SECOND MOTION TO REQUIRE DISBURSEMENT AND CONTINUED DISCLOSURE OF PRESENT AND FUTURE CONSUMER PACKAGING CLAIM AND OTHER ASSETS (Document No. 93), DEFENDANT'S SUPPLEMENT TO ITS MOTION FOR ENTRY OF ORDER OF COURT PERMITTING PAYMENT OF COUNSEL FEES (Document No. 95) and PLAINTIFF'S RESPONSE TO DEFENDANT'S SUPPLEMENT TO ITS MOTION FOR ENTRY OF ORDER OF COURT PERMITTING PAYMENT OF COUNSEL FEES (Document No. 97), and it appearing that Defendant has received additional funds in the amount of \$93,363.27 CND from KPMG Inc., the payout trustee in the Consumers Packaging bankruptcy action in Canada, and it further appearing that Plaintiff seeks

disbursement of said funds to her pursuant to this Court's Order of October 6, 2005, while Defendant seeks disbursement of said funds to it for payment of outstanding legal fees or to escrow said funds pending resolution of Buchanan Ingersoll's appeal of this Court's Orders of August 3, 2004 and October 6, 2005, to the United States Court of Appeals for the Third Circuit. The competing requests for said funds are not unreasonable under the unique facts and circumstances of this case and the Court finds that the escrow option is the most equitable course on an interim basis.

NOW THEREFORE, Defendant, G&G Investments, Inc., is **ORDERED FORTHWITH** to disburse and transfer the referenced Consumer Packaging bankruptcy funds in the amount of \$93,363.27 USD plus all interest accrued to date to the United States District Court Clerk for the Western District of Pennsylvania to be held in escrow for safekeeping by the Clerk in the Collateral Receipts Section of the Court Clerk's office pending further order of Court regarding final disposition of same. Counsel shall file with the District Court Clerk at the time the funds are delivered an inventory document reflecting all pertinent information regarding same. The Clerk shall acknowledge delivery on a copy of the inventory and issue a receipt. The Clerk shall maintain said funds in an interest bearing account or invested in an interest bearing instrument approved by the Court in accordance with Federal Rule of Civil Procedure 67.

In accordance with the foregoing, Defendant's MOTION FOR ENTRY OF ORDER OF COURT PERMITTING PAYMENT OF COUNSEL FEES OR, IN THE ALTERNATIVE, THE ESCROW OF FUNDS PENDING THE RESOLUTION OF APPEAL AND SUPPLEMENT is **GRANTED IN PART** and **DENIED IN PART** and Plaintiff's SECOND MOTION TO REQUIRE DISBURSEMENT AND CONTINUED DISCLOSURE OF

PRESENT AND FUTURE CONSUMER PACKAGING CLAIM AND OTHER ASSETS is
DENIED WITHOUT PREJUDICE.

It is further **ORDERED** that Defendant shall immediately disclose within seven (7) days its full and complete knowledge of any and all funds received or anticipated by any of its subsidiaries at any time from the Consumer Packaging bankruptcy.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

cc: Arnd N. von Waldow, Esquire
Email: avonwaldow@reedsmith.com
Timothy J. Cornetti, Esquire
Email: tcornetti@reedsmith.com

John B. Cromer, Esquire
Email: jbcromer@bwhllc.com

Gregory J. Krock, Esquire
Email: krockgj@bipc.com
Stanley J. Parker, Esquire
Email: parkersj@bipc.com

Frederick W. Thieman, Esquire
Email: fwt@thiemanward.com